

IN THE UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF MISSISSIPPI
NORTHERN DIVISION

JEFFREY KANE SARTIN

PLAINTIFF

VS.

CIVIL ACTION NO. 3:13cv521-DPJ-FKB

SHARON PAIGE, et al.

DEFENDANTS

REPORT AND RECOMMENDATION

This action is before the undersigned for recommendation of dismissal. On July 14, 2014, a notice of hearing was mailed to Plaintiff at the Wilkinson County Correctional Facility (WCCF), the address provided by him, stating that an omnibus hearing would be held on September 24, 2014 at 1:30 p.m. Thereafter, on September 17, 2014, an order referencing the date and time of the hearing was mailed to Plaintiff, and a writ of habeas corpus ad testificandum was issued to WCCF for Plaintiff to be transported to the hearing. However, Plaintiff did not appear, and the Court learned from defense counsel at the hearing that Plaintiff was released from WCCF on August 14, 2014. Plaintiff has failed since that date to provide the Court with his current address. He was warned in a previous order that failure to inform the Court of any change of address could result in dismissal. Accordingly, the undersigned recommends that this action be dismissed for failure to prosecute.

The parties are hereby notified that failure to file written objections to the findings and recommendations contained in this report within 14 days from being served with a copy of this report will bar an aggrieved party, except upon grounds of plain error, from

attacking on appeal proposed factual findings and legal conclusions accepted by the district court. 28 U.S.C. § 636; Douglass v. United Service Automobile Ass'n, 79 F.3d 1415 (5th Cir. 1996).

Respectfully submitted, this the 24th day of September, 2014.

/s/ F. Keith Ball

UNITED STATES MAGISTRATE JUDGE